

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER NO. 79-161

ORDER REQUIRING CITY AND COUNTY OF SAN FRANCISCO, SAN FRANCISCO INTERNATIONAL AIRPORT, TO CEASE AND DESIST FROM DISCHARGING WASTES CONTRARY TO REQUIREMENTS PRESCRIBED BY THE CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, AND RESCINDING CEASE AND DESIST RESOLUTION NO. 70-31

The California Regional Water Quality Control Board, San Francisco Bay Region, finds that:

1. On February 26, 1970, this Regional Board adopted Resolution No. 70-12 prescribing waste discharge requirements for discharge of wastewater into the northeast corner of the Seaplane Harbor in San Francisco Bay by the City and County of San Francisco, San Francisco International Airport.
2. On March 26, 1970, this Regional Board adopted Resolution No. 70-25 prescribing revised waste discharge requirements for discharge of wastewater into the northwest corner of the Seaplane Harbor for an interim period of time by the City and County of San Francisco, San Francisco International Airport.
3. On March 26, 1970, this Regional Board adopted Resolution No. 70-31, ordering the City and County of San Francisco, San Francisco International Airport, to cease and desist discharging wastes contrary to the requirements prescribed in Resolution No. 70-25.
4. On December 17, 1974, this Regional Board adopted Order No. 74-205 (NPDES Permit No. CA0038318) prescribing waste discharge requirements for discharge of wastewater into a combined outfall force main for final disposal into San Francisco Bay, by the City and County of San Francisco, San Francisco International Airport.
5. The Airport completed construction of new secondary treatment facilities and a new outfall into the northeast corner of the Seaplane Harbor by August 1971, and commenced discharge of secondarily treated wastewater into a combined outfall force main with final disposal into San Francisco Bay by February 1975.
6. The City and County of San Francisco, San Francisco International Airport, has achieved full compliance with all applicable discharge requirements specified in this Board's Order Nos. 70-25, 74-205 and its amendment, and in the cease and desist Resolution, except for the effluent toxicity limitation.

7. The Airport has participated in construction of common-use dechlorination facilities in the combined outfall, which were completed in late 1978, and has taken additional **steps** to reduce effluent toxicity. However, measures taken to reduce effluent toxicity apparently are not adequate to secure consistent compliance with the effluent toxicity limitation contained in the current NPDES permit.
8. The waste discharge requirements of Order No. 79-162 provide, in part, as follows:

"B. Effluent Limitations

...

3. In any representative set of samples, the waste as discharged to the combined outfall shall meet the following limit on toxicity:**

The survival of test fishes in 96-hour bioassays of the effluent shall be a 90 percentile value of not less than 50 percent survival. Exceptions to this limitation may be granted and revised toxicity requirements established by the Regional Board, pursuant to public hearing, if the discharger can demonstrate to the satisfaction of the Board that the following conditions are met:

1. The waste is discharged through a deepwater outfall which achieves rapid and high initial dilution and that the waste is rapidly rendered nonacutely toxic upon discharge, and
2. The toxicants in the waste are nonconservative constituents which are rapidly decayed in the receiving water; or the toxicants in the waste are conservative constituents for which water quality objectives have been established. The Regional Board will, in such cases, establish effluent mass emission rates for such constituents.

**Samples may be dechlorinated in the laboratory prior to testing to provide a chlorine residual equal to that of the waste in the combined outfall.

..."

9. Inspections by the Regional Board's staff and Self-Monitoring Reports from the discharger indicate that the discharger is violating the requirement listed in Finding No. 8 above.

10. On December 18, 1979, at a meeting starting at 9:30 a.m. in the Assembly Room, State Building, 1111 Jackson Street, Oakland, after due notice to the discharger and all other interested persons, the Regional Board conducted a public hearing at which the discharger appeared and evidence was received concerning the discharge.
11. This action is an order to enforce waste discharge requirements previously adopted by the Board. This Action is therefore categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15121 of the Resources Agency Guidelines.

IT IS HEREBY ORDERED THAT:

1. City and County of San Francisco, San Francisco International Airport, cease and desist discharging wastes contrary to the requirements listed in Finding No. 8 of this order, and shall comply forthwith with said requirements.
2. City and County of San Francisco, San Francisco International Airport, shall submit by February 1, 1980, a report and time schedule to provide for compliance with the specifications of this Order.
3. This Board's Cease and Desist Resolution No. 70-31 is rescinded.
4. City and County of San Francisco, San Francisco International Airport, is required to provide the Board by February 1, 1980, and monthly thereafter, until compliance is achieved, a report, under penalty of perjury, on progress toward compliance with the provisions of this Order.
5. If the Executive Officer finds that the discharger has failed to comply with the provisions of this order, he is authorized, after approval of the Board Chairman, to request the Attorney General to take appropriate enforcement action against the discharger, including injunction and civil monetary remedies, if appropriate. If the Executive Officer determines that the provisions of this order are violated and does not refer the matter to the Attorney General, he is instructed to report to the Board the reason that the City and County of San Francisco, San Francisco International Airport, has been unable to comply with the provisions of this order.

I, Fred H. Dierker, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on **December 18, 1979.**

FRED H. DIERKER
Executive Officer